

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at GREENEVILLE

JEFFERY BULLINGTON,

*Plaintiff,*

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

*Defendant.*

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Case No. 2:08-cv-122  
Judge Mattice

**ORDER**

United States Magistrate Judge Susan K. Lee filed her report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) on July 20, 2009. [Court Doc. No. 14.] Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, the Court **ORDERS** that Plaintiff's Motion for Summary Judgment [Court Doc. No. 8] be **GRANTED**, Defendant's Motion for Summary Judgment [Court Doc. No. 11] be **DENIED**, the decision of the Commissioner be **REVERSED**, and the matter be **REMANDED** to the Commissioner for further action consistent with Magistrate Judge Lee's report and recommendation pursuant to sentence four of 42 U.S.C. § 405(g).

**SO ORDERED** this 17<sup>th</sup> day of August, 2009.

/s/Harry S. Mattice, Jr.  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE